



BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, April 24, 2008

The meeting of the Detroit Board of Police Commissioners was held on Thursday, April 24, 2008, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Erminia Ramirez
Jim Holley **(ABS)**
Ronald L. Griffin
Mohamed Okdie
Willie Hampton

Department Personnel Present

AC Ralph Godbee
2nd DC John Clark
Cmdr. Gail Wilson-Turner
Cmdr. Benjamin Lee
Lt. Charles Wilson
Lt. Donna Jarvis
Sgt. Rodney Cox
Sgt. Brian Harris
Sgt. Melanee Long-Thomason
PO Sophia Nelms
Atty. Letitia Jones

Board Staff Present

Dante' L. Goss, Executive Director **(ABS)**
Lawana Ducker, Personnel Director
Arnold Sheard, Chief Investigator **(ABS)**
Denise R. Hooks, Attorney/Supervising Inv.
Ainsley Cromwell, Supervising Investigator
P.O. Kent Cooper

OTHERS PRESENT

Ron Scott
Atty. Fred Walker
LaWanda Hail-Ruffin
Edward Moore
Kristine Davis

Tawanna Morris
Media
Edith Lee-Payne
Tawanna Simpson
Thomas Stidham

RECORDERS

Terence Bell
Robert Brown

1. CALL TO ORDER

Chairperson Ramirez called the meeting of the Detroit Board of Police Commissioners to order at 3:15 p.m.

She stated last week the tow contractors for the City of Detroit voiced their opinions on the RFP for the towing contract. They wanted to know if the Board had any authority or input. It appears that this Board does have a role, to establish policies, rules and regulations pertaining to the RFP based on Section 7 -1103 (1) of the City Charter and more specifically Section 55-15-8 of the Detroit City Code. This Board will be bringing all parties together and request that the April 30, 2008, deadline be postponed. Then AC Godbee stated there has been a change in the bond price.

AC Godbee stated after a lot of deliberation and input from police-authorized towers, the department is looking to re-engineer the process of managing the towing. The department is extending the deadline for the RFP to May 14, 2008. He stated that 2nd DC Clark will set a date and he will meet with all of the authorized city towers so that he can share with them exactly what the department is looking for. He asked the Purchasing Department to reduce the bid bonding requirements from \$50,000.00 to \$10,000.00.

Chairperson Ramirez stated this Board will also have a say in regards to the RFP, and will be meeting with the department as well.

Comm. Hampton stated it is his understanding that the bond has been reduced.

AC Godbee stated yes, sir.

Comm. Hampton stated a reduction of a least 50%.

AC Godbee stated more than 50%, from \$50,000.00 to \$10,000.00.

Comm. Okdie stated by 80%.

Chairperson Ramirez asked whether any were towers present.

AC Godbee stated they have been notified by fax and mail regarding the new deadline and the new bid bond amount.

Chairperson Ramirez stated we appreciate that.

2. APPROVAL OF AGENDA

- **Thursday, April 24, 2008**

MOTION: **Comm. Okdie** made the motion to approve the Agenda.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. APPROVAL OF MINUTES

- **Thursday, April 17, 2008**

MOTION: **Comm. Okdie** made the motion to approve the Minutes.

SECOND: **Comm. Hampton** seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. BOPC OFFICER'S REPORT

1. CHAIRPERSON

2. SECRETARY REPORT

SUSPENSION WITHOUT PAY OF SERGEANT DAVID COBB, BADGE S-616, ASSIGNED TO EASTERN DISTRICT

On April 20, 2008, Internal Affairs was directed to respond to Southwestern District, Schaefer Station, regarding the arrest of Sergeant David Cobb, badge S-616, assigned to Eastern District for the murder of his wife, Mrs. Rose Cobb,

B/F/47 that occurred on December 26, 2007, at approximately 9:00 p.m., at the CVS Pharmacy located at 12907 E. Jefferson, Detroit, Michigan.

On April 20, 2008, a member of Violent Crimes Task Force, was interviewing Mr. Vincent Smothers, B/M/27, of 46675 Jonathan Circle, Shelby Township, Michigan on an unrelated case. Mr. Smothers alleged to have knowledge and involvement with the death of Mrs. Cobb. Additionally, Mr. Smothers implicated Sergeant Cobb in the commission of the crime. He stated that he received a telephone call from a friend, Mr. Marzell Black, whom he owed money. Mr. Black offered him a way to repay his debt stating that Sergeant Cobb, who was having an affair with his mother, wanted someone to carry out a murder.

In early December 2007, Mr. Smothers met with Mr. Black and Sergeant Cobb at a Coney Island restaurant located on Gratiot Avenue near Houston Whittier. Sergeant Cobb went over a plan to have his wife killed. Sergeant Cobb wanted the murder to be committed in early January 2008.

At the next meeting, Sergeant Cobb informed Mr. Smothers that he wanted the date moved up by a week. It was at this meeting that Sergeant Cobb advised Mr. Smothers and Mr. Black that he would pay them \$5,000.00 each, a month after the murder.

At the third and final meeting Sergeant Cobb showed Mr. Smothers how to wear gloves and arm sleeves to prevent any Gunshot Residue from getting onto his hands. Sergeant Cobb also stressed to Mr. Smothers the importance of getting rid of the weapon. Sergeant Cobb advised Mr. Smothers and Mr. Black that the signal to carry out the murder would be a call to Mr. Black's cellular telephone.

According to Mr. Smothers, on the day of the killing, Sergeant Cobb telephoned his wife and asked her to go to the store with him. Mr. Smothers and Mr. Black drove to the CVS Pharmacy, in a black Jeep Commander, and waited for Sergeant Cobb and his wife to arrive. Upon their arrival, Mr. Smothers observed Mrs. Cobb seated in the passenger seat of the vehicle as he drove past. Sergeant Cobb exited the vehicle and gave a slight nod to Mr. Smothers before he entered the store.

Mr. Smothers drove down the street, exited his vehicle and Mr. Black got into the driver's seat. Mr. Smothers then walked back to the store, broke out the passenger window of the Cobb's mini-van, pointed a gun at Mrs. Cobb and demanded her purse. Mrs. Cobb began to scream and move around in the vehicle and he shot her two (2) or three (3) times in the head.

As a direct result of this interview, Sergeant Cobb was arrested at his home.

On this same date, a member of Homicide advised Sergeant Cobb of his constitutional rights (Miranda) and he agreed to answer questions related to the murder of his wife. Sergeant Cobb admitted to knowing Mr. Black and to having an affair with his mother. Additionally, after viewing a photograph of Mr. Smothers, Sergeant Cobb admitted that there was a chance he knew Mr. Smothers.

On April 20, 2008, Lieutenant Pastella B. Williams, badge L-111, assigned to the Eastern District, suspended Sergeant Cobb.

Based on the above circumstances, it is recommended that Sergeant Cobb be charged with, but not limited to, the following violation of the Detroit Police Department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Atty. Hooks stated we have Atty. Walker here on behalf of Sgt. Cobb and Atty. Jones on behalf of the police department.

Atty. Walker stated he is here on behalf of the Lieutenants and Sergeants Association for Sgt. Cobb. I submit to you that the issue for your decision is not a suspension but rather with or without pay. As you know, Sgt. Cobb has not been charged with any crime. No warrant was denied for Sgt. Cobb, no warrant was ever presented by the prosecutor's office concerning Mr. Cobb. That has never occurred.

The union understands the seriousness of the allegations are of course gray. The seriousness of those allegations has to be tethered to some standard of proof. This is what counsel has presented from the department through a petition to the Board. It is entirely hearsay and is triple hearsay from two people, or one at least one who has been alleged to have committed a murder. He is facing those charges unlike Sgt. Cobb who has no charges of any kind. Apparently Sgt. Cobb made a statement under Miranda to the department upon his arrest without a lawyer. He is put in an unmanageable position, what more can we do on that to defend himself to you at this time. So if the department was to turn around and seek a warrant and obtain a warrant, then the department can always turn around that very day or before a week and come back before you and request a suspension with pay be converted to a suspension without pay.

The essence of the issue is a little more distinct than I say, and I submit to you, it is in the department's manual at 102.4-2.1, and what it says is, "Suspensions prior to disciplinary action are strictly for the purpose of preservation of order or efficiency of the department, and are not considered, nor are they to be used, as an instrument of discipline." Well, if you ever speak to someone who has been suspended without pay and an ability to defend themselves at an actual hearing where evidence is presented, it's always going to seem to that person, or a reasonable person in his shoes, that he was being disciplined without any kind of a hearing. So, then the question becomes how is the order or the efficiency of the department made greater by suspending him without pay as opposed to with pay. I submit to you that there's no greater order of efficiency in the department if you take that action. It's simply punishing him with literally no legal admissible evidence whatsoever against him. In addition to that, not only that, but if we were to suspend him without pay, there's not going to be a hearing. Picture what that hearing would be like; we are going to have a Trial Board, who is the department going to present as a witness at their Trial Board while there are first degree murder charges pending. All we ask is that you give him the due process of any member of the department, when allegations are made against him regardless of how serious they are. The seriousness of the allegations in and of themselves should not be sufficient to punish him without pay. We are asking that you consider a do so with pay at this time, pending any farther developments.

Comm. Okdie stated one of the things that always seems to come up before us when we have these kind of issues, is the notion of whether or not a warrant has been issued, or someone has been arrested etc., etc., and etc. One of the things that I always have problems with is the notion that, not problems with...We always seem to get mired in the notion of whether or not we need to take in certain elements of civil court. This is not a court of jurisprudence and consequently the consideration of warrants, consideration of the arrest, the consideration of cross-examining witnesses, etc., etc., and etc. I really don't consider that. But one thing that you did say which I think does have some consideration is the item that you pointed out I did not write down the item that you had pointed to in the manual. What I'd like for you to do, if you don't mind, is if you could just go over that one more time, and please be just a little more explicit without being technical.

Atty. Walker stated I will read the entire paragraph which is slightly larger than I read before. It is in the manual, cited as 102.4-2 and that is sub-head "Suspension with pay" and below that it says the authority to suspend.

Comm. Okdie stated it is speaking to our authority or the authority of the Chief.

Atty. Walker stated well the Chief or any member ranking or supervisor member of the department has the authority, if in their judgment to suspend somebody without out pay immediately, then they have to immediately come before you in order to have that go forward. I have to concede to you that I see the AC shaking his head, no. I know that he knows it inside and out. I guess we have a little bit of a difference there. But, I would submit at this point that the decision is for you to make. Let me just read this part, "When deemed necessary for the preservation of order or efficiency, a supervisory officer may suspend any subordinate from duty prior to disciplinary action or Trial Board. Generally, suspensions prior to a Commander's Action Hearing, Chief's Hearing or Trial Board should be restricted to an alleged violation for which dismissal from the department, upon conviction, is the maximum penalty. Suspensions prior to disciplinary action are strictly for the purpose of preservation of order or efficiency of the department, and are not considered, nor are they to be used, as an instrument of discipline".

Comm. Okdie stated having said that, if you don't mind, this particular individual is in a supervisory position, is he not.

Atty. Walker stated yes he is.

Comm. Okdie stated as a supervisor, isn't part of their duties is to maintain a certain amount of order, within the ranks. Is that correct?

Atty. Walker stated yes.

Comm. Okdie stated would you say what you just read speaks specifically to what that particular individual must carry out. And, we have to weigh whether or not that particular individual can carry out those duties as regards to order. Is that correct?

Atty. Walker stated yes, I would concede that given the seriousness of the allegations, as stated in the petition to the Board, that a suspension is entirely reasonable only...I am saying to you that the suspension without pay without any evidentiary hearing does not enhance order or efficiency.

Comm. Okdie stated okay giving what you just said, does that particular passage speak to the question of pay or without pay, or is it silent. To be quite frank with you, I did not hear anything stated with pay or without pay. I think, and I could be wrong, but I think that specifically it's the call of the Chief, is it not.

Atty. Walker stated no, the Chief in the end with something like this has to be submitted her judgment to your judgment.

Comm. Okdie stated right.

Atty. Walker stated in response to what you asked me I would say that is says, "[s]uspensions prior to disciplinary action...are not considered, nor are they to be used, as an instrument of discipline." I submit to you that when it says, "instrument of discipline", if a person is suspended without pay, if you're looking from that person's eyes, a reasonable person in that situation, the fact that being suspended in and of itself is an instrument of discipline.

Comm. Okdie stated that's your interpretation, correct.

Atty. Walker stated that's fair.

Comm. Okdie stated when we have the department's counsel, we can ask that specific question, right.

Atty. Walker stated yes.

Comm. Okdie stated I think that's really what this hinges on. Your interpretation is whether this is a form of discipline, or is it a question of judgment.

Atty. Walker stated or a question of efficiency.

Atty. Jones stated the secretary read you pretty much what the facts of the case are. And that is that this gentleman, Sergeant David Cobb, S-616, did conspire to have his wife killed. This was corroborated by a witness' statement and that witness is pending criminal charges at this particular moment. There is an ongoing criminal investigation against Sgt. David Cobb. As to Sgt. David Cobb, the possibilities are first-degree murder, the conspiracy to commit murder; those are possible charges. I am sure that there are a few others as well. As to the question presented, we also have a witness' statement of the co-conspirator. There is a case log that supports the co-conspirator's statement, of which may be used against him. So, the fact that co-counsel mentioned that he is not available to present his case I don't think that you hindered him from being here today. But in any event, this is not an adversarial hearing for him to present his case. We need to focus on the facts and the facts are so egregious that we are asking you to suspend him without pay. As it relates to the provision, the counsel is relying on 102.4-2, which is suspension with pay under the Detroit Police Department Manual. It gives authority to suspend, and that authority lies within the Chief. The Chief has asked this Board to concur with her decision, with her authority to suspend this gentleman without pay. Going forward, as we look at the suspension without pay in the case of those members who were suspended without pay, prior to the initiation of the administration disciplinary hearing who received the penalty of discipline, it will be the discretion of the court whether the suspension will be with or without pay. The fact that the criminal charges have yet to appear has no bearing on this, because there is a continued ongoing investigation. What's your role, I would assume to be is to determine if it's in the best interest of the department to pay for violating not only the code of ethics, which will be the disciplinary charge against him, and criminal charges as well.

When I say criminal charges, the MCOLES has a character fitness section. They must be morally fit to be a police officer. This is not the first time that this officer has run into a situation such as this. I am asking you to suspend him without pay. Do you have any questions for me.

Comm. Okdie asked can you speak to the issue with or without pay perceived as a disciplinary measure.

Atty. Jones stated that is entirely up to the Board, I don't perceive it to be a disciplinary matter. I am one of the attorneys that handle the disciplinary cases.

Comm. Okdie asked can you give a rationale please.

Atty. Jones stated to me we are not telling him—and I am giving you my rationale—we are telling him he cannot be reimbursed if he has to come back to work; we are not telling him that he can seek other forms of employment. We are not telling him that he is going to lose any type of benefits that he might still have. We are simply saying that in the best interest of the department, being that he himself placed the department in this dispute, that he be suspended without pay.

Comm. Griffin stated this is really addressed to both of the attorneys. In 102.4-1.2, the operative phrase here is, subjective by the interpretation; preservation of order and efficiency. I am not an attorney, so let me just say it would be subjective. It would be left up to the leadership of the Detroit Police Department to determine whether or not that you can preserve order and efficiency by any actions that you have taken. When you add that to the fact that the prosecutor, while not issuing a warrant according to the media, suggested that this is an ongoing investigation as the police department said. So, as an individual that looks at this as if I just focus on the preservation of order and efficiency, it moves me to question how could you have order and efficiency in light of the egregious nature on this offense and the individual involved is a supervisor with years of experience. I am making a statement; therefore, I would have a very difficult time. Atty. Walker would have a difficult time explaining to me how of the converse of order and efficiency can be preserved if Sgt. Cobb can be simply, simply be suspended with pay, notwithstanding the fact that in his own eyes that it is punitive or disciplinary. I think that goes with the egregious nature of this offense.

Comm. Hampton asked do you see a timetable of the ongoing investigation.

Atty. Jones stated I would have to defer that to Internal Affairs, they are conducting the investigation and I do not know the timeframe. Although they are working expeditiously to get this matter resolved and back to the prosecutor's office.

Atty. Walker stated I want respond to a couple of points. Commissioner, my view of it is that the egregiousness equals the suspension period. And, that's the removal of this person from an active participation of this department, while this is going on; that in and of itself preserves the order and efficiency. And, I think it shows even to the other people in this department, regardless of the egregious allegations, that he is being treated fairly by the department. This is because people are falsely accused. Because of that, that's why the allegations are egregious themselves. I submit to you in and of itself should not be sufficient to justify a suspension without pay. With regard to the ongoing nature of the investigation, we have seen events that have taken place recently, but the fact of the matter is that Sgt. Cobb was arrested and then released. Apparently everything is out according to the department as to what they know. They were willing to go to the prosecutor and to seek a warrant from them and they were stopped at that point. What the investigation exactly itself may detail beyond this point seems very open to me. It will be open ended for Sgt. Cobb as well. I will submit to you that counsel had argued her case from the presumption of guilt, really. Even though this is not as serious as a criminal court, he may be reimbursed which means little to him. Because, for one, he may be reimbursed but his bills are ongoing at that time, as well as when a person is suspended they instantly lose all benefits. So any kind of health care from that moment forward, you decide that from that moment forward there will be no benefits from the department. Counsel references the facts of the case and the facts are utterly unknown except for a triple hearsay petition from an unidentified member. Not even the name of the violent crime task force. We submit to you that fairness would be a suspension with pay.

Comm. Hampton asked does the contract refer to an administrative leave, if so what does that define in the contract.

Atty. Walker stated the contract also, in addition to the manual, speaks somewhat obliquely to this exact situation. But I did notice there are a couple of provisions under "Member's Rights" and the officer's rights. Specifically, I reference three and that is paragraph one and not particular to this but I think it is a close analysis, "Any member who is accused of violating any criminal law, City, State or Federal shall be entitled to his full rights under the State and Federal Constitutions without being disciplined for exercising such rights unless specifically excepted in this Agreement." I know no exceptions applied to this situation. Paragraph 7, "Throughout all disciplinary hearings, each member shall presume innocent." And, finally Paragraph 8, no member shall be disciplined, discriminated against, or transferred because he exercises any of his constitutional rights to a grand jury or an investigative body or a law enforcement agency. So under the contract, the members are provided with a blanket statement in favor of their rights pending a disciplinary hearing. I can see that they don't speak specifically to this.

Comm. Hampton asked Atty. Hooks is there any feedback on administrative leave.

Atty. Hooks stated she is not aware of that being in the agreement.

Comm. Okdie stated what was going through my mind when you were reading that, that speaks directly to my point. My point was that we should not be making decisions based on what the civil courts are doing. We should be making decisions based on what's in the manuals and what has been established by the department that every police officer agrees to when they are hired by the department. That those rules and those regulations in the manuals are something that every officer agrees to when they are hired, and consequently we have to abide by them. What I think that I just heard you read pertains specifically to the notion that we should not be considering whether or not a court or a prosecutor is facilitating a warrant or pending charges on a particular officer. That we have to be concerned specifically with the guidelines that are set forth in the manual that every officer agrees to; that's what I thought you read.

Atty. Walker stated and that's fair enough. If that's the case of course, by agreeing to the manual Sgt. Cobb is still standing on the presumption of innocence which is a part of it as much as anything. So the only real issue, because we are not taking issues with the idea of a suspension, the only real issue that you are deciding is if he's going to have pay from this moment forward. Forget the civil courts, criminal courts or any of the courts, pending whatever may happen in the future. Or, if we can decide right now that he will not receive any future payments and benefits, pending whatever happens in the future. I submit to you any real evidence at all.

Comm. Okdie stated right. The question before us is whether or not we agree with the determination of the Chief of Police. The Chief of Police is asking for a suspension without pay and we are to determine whether or not we are in agreement with the Chief. Is that correct?

Atty. Walker stated yes, and I would just say to take the Chief literally at her words, "due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Sgt. Cobb without pay." I submit to you that looking only with the seriousness of the allegations not the conduct is unfair to the member.

Comm. Okdie stated and that is her prerogative.

Atty. Walker it's her prerogative until it gets to you.

Comm. Okdie stated that's right and what I am suggesting is that the item that you read to us in the manual is silent to that issue, borrowing your interpretation.

Atty. Walker stated I rather not borrow my interpretation; my interpretation is that's our view of it.

Comm. Okdie stated and you are doing a very good job at it.

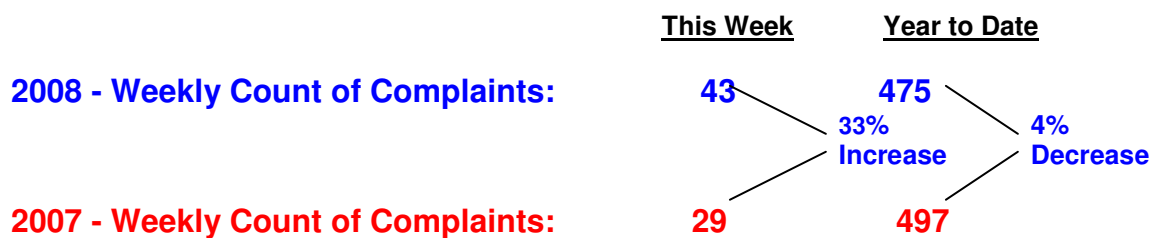
Due to the seriousness of the conduct, I am requesting your concurrence with the suspension of Sergeant David Cobb without pay, effective April 24, 2008.

Unless **contravened** by this Board the suspension without pay shall stand.

There were no contraventions.

Atty. Hooks stated hearing no contraventions, the suspension without pay can go into effect.

CITIZEN COMPLAINTS RECEIVED



- The Office of the Chief Investigator has a total of 1,260 active investigations, of which 423 of those are for 2008.

TOTAL WEEKLY ALLEGATIONS & COMMAND

Total	COMMAND	ALLEGATIONS									Total
CCR	W/E 04/24/08	Arrest	Demeanor	Force	Harassment	Entry	Procedure	Property	Search	Service	Allegations
2	CENTRAL		1				1				2
2	COMMUNICATIONS		1							1	2
6	EASTERN		5	1							6
1	GAMING		1				1				2
4	NORTHEASTERN	1	1				2		1		5
7	NORTHWESTERN	2	5				5		1	2	15
4	SOUTHWESTERN		3							1	4
1	TACTICAL SERVICES		1				1				2
12	Unknown Command		6	1			5				12
2	VIOLENT CRIMES		1		2		1				4
2	WESTERN		2				1				3
43		3	27	2	2		17		2	4	57

5. PRESENTATION/REPORT-CHIEF OF POLICE

April 24, 2008

Volume 4, Issue 17

Detroit Police Department

Report to the Board of Police Commissioners



Special Points of Interest:

- Next meeting:
Thursday, May 1, 2008
@ 3:00 P.M.

Detroit Police Department
1300 Beaubien St.
Detroit, Michigan 48226

“Building a Safer Detroit Through Community Partnerships”

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

Narcotics/Gang Enforcement

During the period of April 14, 2008 through April 20, 2008, **Narcotics/Gang Enforcement executed 77 search warrants and 72 street enforcement actions** within the boundaries of the city of Detroit resulting in the following arrests and confiscations:

- 61 Felony arrests
- 233 Misdemeanor arrests
- 6 Juveniles

Confiscated:

- 305.20 grams of cocaine, 80.4 grams of heroin, 1,164.70 grams of marijuana and 5 pills, with a total street value of \$271,507.80
- **\$ 55,089.00** in U.S. Currency
- 23 Handguns

10th Annual Detroit Police Interfaith Candlelight Vigil Service
Tuesday - April 29, 2008
7:00 P.M.
Winter Garden
100-400 Renaissance Center (Atrium)

This service is held annually in honor of fallen Police Officers who have heroically lost their lives in the line of duty. Please join us for this memorial, which means so much to the families of fallen officers, the law enforcement community, and the citizens we are dedicated to serve and protect.



Inside this issue:

Narcotics/Gang Enforcement	1
Detroit Police Candlelight Vigil	1
Northwestern District	2
Domestic Violence	2
Central District	2
Southwestern District	2
Western District	2

Engaging the Community

ATTENTION

Citizens wishing to make a police report may do so at the District stations in the city of Detroit. Citizens may also utilize the following District Sub-Stations to make reports.

	<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
	2151 E. Jefferson	24 Hours	596-6400
	7737 Kercheval	7 a.m. to 3 p.m.	628-2121
	19810 Grand River	10 a.m. to 3 p.m.	935-5322
	13530 Lesure	8 a.m. to 11 p.m.	596-5300
	12000 Livernois	24 Hours	237-2555

April 24, 2008

Police / Community Intervention

Page 1

Northwestern District

On April 18th, officers of the Northwestern District responded to the 12000 block of Kentfield on a "Home Invasion in Progress." *Due to the officers' quick response, a subject was arrested and charged with "Home Invasion 2nd Degree."*



Domestic Violence

On April 17th, officers of the Southwestern District responded to the 8000 block of Coyle on a "Person Armed with a Weapon", which resulted in an arrest. *The subsequent investigation conducted by members of Domestic Violence resulted in the subject being charged with "Felonious Assault", "Domestic Violence 3rd Offense", and "Felon in Possession."*

Central District

On April 14th, officers of the Central District responded to the 900 block of Marston to "Recover Property." *As a result of their investigation, two subjects were arrested and charged with "Larceny" and "Receiving & Concealing Stolen Property." In addition, one subject was also charged with "Habitual 4th." Approximately 220 pieces of metal pan decking used in freeway bridge deck construction was recovered, with an approximate value of \$17,000.*



Southwestern District

On April 18th, Southwestern District officers responded to the 3000 block of Saliotte on a "Person wanted for Robbery Armed/Unlawfully Driving Away of an Automobile." *As a result of the officers' investigation, the suspect was arrested and charged with "Armed Robbery", "Carjacking", and "Felony Firearm."*



Western District

On April 19th, officers of the Western District responded to the 11000 block of Dexter on an "Breaking & Entering in Progress," of a church. The subject, who was found inside the church, was arrested and conveyed to the Western District, where the subject confessed to being responsible for shooting an individual. *Officers responded to the location given by the subject and discovered the body of the deceased. The subject was charged with "1st Degree Murder."*

AC Godbee introduced 2nd DC Clark of Fiscal Management Bureau.

Chairperson Ramirez stated before he began, she needed to be excused (3:54 p.m.) and Comm. Hampton will take over as Chair.

2ND DC Clark introduced Cmdr. Lee of Grants & Contracts.

Cmdr. Lee introduced his staff, and gave a brief overview of the primary functions of the Grants & Contracts Section. The Section consists of several units and details.

(**Chairperson Ramirez** returned to the room at 4:01 p.m.)

SEE ATTACHMENT

Comm. Hampton asked if most of the Grants have a monetary match.

Cmdr. Lee stated no.

Comm. Hampton asked are they basically the same Grants from last year from the same sources.

Cmdr. Lee stated it varies.

Comm. Griffin asked are there any statistics that show the duration of the Grants.

Cmdr. Lee stated it varies, but most of the Grants are for about two years.

Comm. Griffin asked how do you let the citizens know that there are very specific guidelines when spending grant money.

Cmdr. Lee stated he explains to the officers whom he supervises, during the weekly executive patrol, the business side of the grants so they may share it with the community.

Comm. Griffin asked if they receive bonuses for bringing in these Grants.

Cmdr. Lee stated no.

AC Godbee stated they get great pats on the back.

Chairperson Ramirez asked have the elderly grants been implemented.

Cmdr. Lee stated if they applied for it this year, they are waiting for a response.

Chairperson Ramirez asked how long that takes.

Cmdr. Lee stated he isn't sure.

Chairperson Ramirez stated you can provide that information at a later date.

6. STANDING COMMITTEE REPORTS

There were no standing committee reports.

7. NEW BUSINESS

1. GRANT: REQUEST TO ACCEPT THE GRANT FROM THE DEPARTMENT OF HEALTH AND WELLNESS PROMOTION FOR THE YEAR OF 2008

The Department of Health and Wellness Promotion awarded the Detroit Police Department's Office of Public Information **\$2,500.00 with no cash match**, to purchase wearables/accessories and any other printed promotional materials for the Detroit Police Department's city-wide anti-gun violence campaign named ***2mg = Too (2) many guns***. The appropriation number is 12677. These items will aid in the public awareness campaign which is design to appeal to the young people in our community by providing them an opportunity to openly display their support for anti-gun violence. The grant funding will allow this program to constructively utilize pop-culture imagery to combat the negative stereotypes and destructive depictions of human behavior that are increasingly being viewed as acceptable by young people.

The Department of Health and Wellness Promotion allocated grant funds from its Detroit Community Gun Violence Prevention Partnership. If approval is granted to accept this funding, 2nd Deputy Chief James E. Tate, Commanding Officer of the Office of Public Information, would serve as the project director.

Upon your approval, the Detroit City Council will be requested to adopt a resolution supporting the acceptance of these funds.

MOTION: **Comm. Hampton** made the motion to approve the Grant.

SECOND: **Comm. Okdie** seconded the motion.

VOTE: All in attendance voted in the affirmative.

8. OLD BUSINESS

There was no old business.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, May 1, 2008, @3:00 p.m.
Police Headquarters
1300 Beaubien, Rm. 328-A
Detroit, MI 48226

10. ORAL COMMUNICATION FROM THE AUDIENCE

T. Morris stated earlier they were talking about the officer who had his wife shot.

Atty. Hooks stated lets just say alleged at this point, because he has not been found guilty by any court.

T. Morris stated in regards to the alleged officer concerning the suspension without pay, I was up for a disability retirement and had no money for a year so he should be suspended without pay.

She stated she is glad the Board is doing something about the towing for the city because she was told that there is a new law on the books.

AC Godbee stated without knowing all of the specifics of the new law, he can't speak to that.

E. Lee-Payne stated she filed a citizen complaint regarding the arrest of her son alleging misconduct by some officers.

Chairperson Ramirez asked was there a change to the investigation.

E. Lee-Payne stated there was a change to my complaint and their report.

Chairperson Ramirez asked was there a change to the citizen complaint report.

E. Lee-Payne stated it's an add-on.

Chairperson Ramirez asked her to speak with AC Cromwell about the add-on.

Comm. Griffin asked Ms. Payne how she feels about the investigation so far.

E. Lee-Payne stated she is not satisfied because the investigator has not called the witnesses that she gave her. They have left several messages for her.

A. Cromwell stated they will look into the add-on of her complaint. She filed the complaint on April 2, 2008. The investigator has been in contact with Ms. Payne.

Comm. Griffin stated in many of the cases that he has read, the investigator stated they have made repeated attempts to contact witnesses to no avail. He stated for Supv. Cromwell to pay close attention to the witnesses that she mentioned that haven't received a call back.

He asked for Ms. Payne to come back and let this body know if you were treated fairly.

A. Cromwell stated he was a little confused as to Ms. Payne's statement about no return telephone call. It is his understanding that the investigator did call those witnesses and the witnesses called her back.

E. Payne stated the investigator did call the witnesses and they have called back on several occasions and haven't received a return phone call.

A. Cromwell stated they will follow up with a written report.

T. Simpson stated she was a car theft victim, and her car was found the same day. She feels victimized because she had to pay the towing company \$93.00 for storage fee. The number that she was given to find out if the police had found her car stayed busy for seven and a half hours.

Chairperson Ramirez stated she understands, because it happened to her. OCI has received complaints about the towing service and they will be tracking those companies. Stated she doesn't know what number Ms. Simpson was calling.

T. Simpson stated she doesn't remember. She asked if the towing companies have a contract with the city, how can they charge the citizens for the same service.

Comm. Okdie stated they are getting paid for the tow and not the storage.

AC Godbee stated that 2nd DC Clark is familiar with the process and he will explain how the fees are structured.

Comm. Griffin stated how much time had elapsed from the time that your car was recovered and you actually picked up your car.

T. Simpson stated you have to call a phone number and they will tell if they found the car.

Comm. Griffin asked how did you find out they had recovered your car.

T. Simpson stated after being busy for several hours, she finally got through at the end of the day and the police told her where her car was located. She did not go that same day because she didn't have the \$93.00.

Comm. Griffin asked how many days were you without your car.

T. Simpson stated it was for three days.

2ND DC Clark stated the police authorize the tow companies to tow for the department. Neither the city of Detroit, nor the police department pays the towing companies to tow. They receive their money based on a set fee and the citizens pay those fees including storage fees. The department will pay those fees for an exceptional crime victim, such as homicide or domestic violence.

Comm. Hampton asked once a car is recovered, who notifies the car owner.

2ND DC Clark stated the police department notifies the owner.

Atty. D. Hooks stated the phone being busy for those many hours basically amounted to one day.

AC Godbee stated we need to investigate that; and there is a requisition to hire more personnel for that department.

K. Davis stated the city sets the fee of \$75.00, and after three days there is a storage fee. The police department doesn't pay them any money. The new RFP that AC Godbee talks about but that he will not discuss it with the towers. The citizens will pay \$168.00

AC Godbee stated the assertion that he will not talk to them is inaccurate. There will be a meeting for all city authorized towers, scheduled for May 2, 2008, at 13331 Lyndon at 12 noon. The \$168.00 is not true because the Tow Commission sets those fees. The RFP is for a company to manage the process.

Chairperson Ramirez stated she understands that the process needs to be fixed.

AC Godbee stated we are addressing the process and not individual towers.

Chairperson Ramirez stated earlier she had mentioned that last week the tow contractors for the City of Detroit voiced their opinions on the RFP for the towing contract. They wanted to know if the Board had any authority or input. It appears that this Board does have a role, to establish policies, rules and regulations pertaining to the RFP based on Section 7 -1103 (1) of the City Charter and more specifically Section 55-15-8 of the Detroit City Code. This Board will be bringing all parties together and wants the April 30, 2008, deadline to be postponed. The new deadline is May 14, 2008. The Purchasing Department has reduced the bid bonding requirements from \$50,000.00 to \$10,000.00.

Comm. Hampton stated the bond has been reduced by 80%.

Chairperson Ramirez stated there isn't much they can do right now until we sit down with all parties.

T. Stidham stated yesterday the Mayor vetoed the resolution that was drafted by City Council to rescind the RFP. He asked is it the department's intention to proceed with the RFP.

AC Godbee stated yes.

T. Stidham asked will they have a chance to dialogue at the May 2nd meeting.

AC Godbee stated yes and he will be seeking input from the towers.

T. Stidham stated the towers are eager to give their input.

Chairperson Ramirez stated the Board is also eager, because OCI receives all of the towing complaints from the citizens.

T. Stidham stated the Auditor General's Report and final conclusion is for the process to be reengineered. He is talking about taking it from a DPD standpoint and giving it to DPW and then bringing a management company in.

Atty. Hooks stated the Board was just made aware of this last RFP last Thursday; and this body's review is still ongoing.

As to the resolution, the Board wasn't presented with a formal resolution from City Council last week and has not received one. We will try to secure a copy and if you have a copy, please provide it.

T. Stidham stated we will be happy to give you a certified copy from the clerk's office.

R. Scott stated there was an incident that occurred at Henry Ford High School that shows the police department using their vehicles as a crowd control device. He asked this body to submit a request under the Freedom of Information Act to get that videotape.

Chairperson Ramirez stated if there are citizens who want to file a complaint, please have them contact OCI. She stated the Board knows what to do for a FOIA request.

11. ADJOURNMENT

The meeting was adjourned at 5:21 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb